

Digest of a Performance Audit of Utah's Juvenile Justice System

In order to reduce juvenile crime, the State of Utah needs to focus on the small portion of youthful offenders who are responsible for most serious youth crime. A small minority of all juvenile offenders are responsible for the majority of felonies committed by juveniles. There is growing evidence that the best way to control this population is to provide them with intervention services while they are still young and are at the early stages of delinquency. Unfortunately, confusion has risen over which agency, the Juvenile Court or the Division of Youth Corrections, should take the lead in serving this population. This confusion has made it difficult for the state to develop effective programs for juveniles at the early stages of delinquency.

This report recommends that the state develop a comprehensive strategy for serious, violent and chronic offenders. The strategy will require that the Legislature first clarify the roles of the Juvenile Court and the Division of Youth Corrections. Specifically, we recommend that the Legislature adopt legislation that clearly states that the Juvenile Court should have responsibility for the administration of justice while the Division of Youth Corrections or some other executive-branch agency assume responsibility for administration of all services, sanctions, and penalties issued by the Juvenile Courts.

Once the roles of each agency have been clarified, the state must then adopt better management practices so the juvenile justice system can function more effectively and efficiently. First, the Juvenile Courts must perform an assessment during the court intake process that identifies high-risk juveniles at an early age. In addition, the Division of Youth Corrections must perform an assessment of each youth offender who has been sentenced to a community-based program or secure confinement. This assessment will allow the division to place juveniles in the program that is most appropriate for their needs given the level of risk they present to the community. Finally, the division must hold providers accountable for the effectiveness of the intervention services they provide. Once these steps are taken, the state will be in a better position to develop a comprehensive strategy for juvenile justice that provides for the early intervention of youthful offenders, reduces the amount of crimes they commit, and reduces the number of juveniles that progress to the more intensive and costly levels of intervention.

The following summarizes the key findings and recommendations of this report:

More Emphasis Should Be Placed on Juveniles at the Early Stages of Delinquency. There are two reasons why Utah should place more emphasis on juveniles at the early stages of delinquency. First, most serious juvenile crime is committed by a relatively small population of juvenile offenders. If these juveniles can

be identified at an early age and offered intensive early intervention services, the state should be able to reduce the amount of serious and violent juvenile crime. A second reason to focus on juveniles at the early stages of delinquency is that many low-risk offenders are being moved into community-based programs because there are not enough intermediate sanctions for them. Juveniles who are having difficulty meeting the conditions of their probation may require a more intensive level of at-home supervision. However, because few intermediate sanctions are available, many juveniles end up in community-based programs even though they do not have a criminal record that would normally justify such a placement. These juveniles need a set of intermediate sanctions that provide more intensive supervision and treatments than probation can provide but are not as harsh as a community placement.

Organizational Roles and Responsibilities Need Clarification. The State of Utah will not be able to develop an effective set of early intervention programs and more intermediate sanctions until the roles and responsibilities of the Juvenile Court and the Division of Youth Corrections are clearly defined. Because neither agency has been given clear responsibility for providing services to juveniles at the early stages of delinquency, both agencies are developing programs and services aimed at this population. As a result, it has been difficult for the two organizations to provide continuity in the supervision and treatment they provide to juvenile offenders. As juveniles move through the continuum of services they are passed from one organization to the other. Additionally, the confusion over roles and responsibilities has been an obstacle to the effective implementation of the state-supervision program approved by the Legislature during the 1998 legislative session. Finally, some activities of the Juvenile Court and Division of Youth Corrections overlap. In our opinion, the overlapping responsibilities and lack of continuity is an impediment to both the efficiency and effectiveness of Utah's juvenile justice system.

Placement Decisions Must Be Based on the Results of an Assessment. The success of a graduated system of sanctions depends on the fair and consistent matching of juveniles with the various levels of intervention available. Before deciding the type of intervention program in which to place a juvenile offender, the state must develop specific selection criteria for each program and level of intervention. Then, an assessment should be made of each juvenile offender to determine which program is best suited to the risk they present to the community and to any treatment needs they may have. Although Utah uses a set of sentencing guidelines to determine the level of intervention, the sentencing guidelines do not account for all of the factors normally considered when deciding the specific type of intervention a juvenile should receive. This problem could be addressed if the state would use its sentencing guidelines in combination with a formal assessment and classification system that provides a consistent approach for matching individual juveniles with the various types of intervention they need. Because the state does not have a consistent process for matching juveniles with the types of intervention available, some

juveniles with relatively few offenses are placed in programs with juveniles who have relatively long criminal records.

An Effective System of Graduated Sanctions Is Needed. We question whether the state can develop a complete system of graduated sanctions unless there is more agreement regarding the state's intervention strategy. We recommend two steps that can be taken to help stakeholders agree to a unified strategy of intervention. First, the state must require that when new programs are adopted, there must be evidence the program is effectively serving the target juvenile population. During the past year Utah's Legislature appropriated \$6 million for programs targeting juveniles under "state supervision," but in many cases, there was not enough research done before the programs were adopted to verify that the program design was a valid one. A second step that should help the state unite behind a common juvenile justice strategy is to perform an ongoing review of the effectiveness of individual programs and services. Each provider of youth corrections services should be held accountable for accomplishing a set of performance standards. This should reduce the disagreement regarding which programs are most effective at reducing juvenile crime.